



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

July 25, 2025

By ECF

The Honorable Mark A. Barnett
U.S. Court of International Trade
1 Federal Plaza,
New York, NY 10278

Re: *Minhye Park v. Barrington D. Parker, et al.*, No. 25 Civ. 789 (MAB) (SDA)

Dear Judge Barnett:

This Office represents Judge Barrington D. Parker, Judge Alison J. Nathan, Judge Sarah A.L. Merriam, Judge Lois Bloom, Judge Pamela K. Chen, Catherine O'Hagan Wolfe, in her official capacity as Clerk of the Second Circuit, and David Coon and Terrence M. Connors, in their official capacities as members of the Committee on Admissions (collectively, the "Federal Defendants"), in the above-referenced action brought by plaintiff Minhye Park ("Plaintiff"). See ECF No. 77-3. I write respectfully to request that the Court set a deadline for Plaintiff to refile her motion for leave to file a Second Amended Complaint and a deadline for the parties to file a proposed briefing schedule on the Federal Defendants' anticipated motion to dismiss.

To date, none of the Federal Defendants have been served with Plaintiff's initial complaint or the First Amended Complaint.¹ However, the Federal Defendants are waiving service of process and intend to file a motion to dismiss Plaintiff's operative complaint. It appears, however, that Plaintiff has attempted to file a motion for leave to file a Second Amended Complaint, but has failed to successfully do so.² The Federal Defendants therefore respectfully request that the Court set a deadline for Plaintiff to refile her motion for leave to file a Second Amended Complaint in compliance with Local Rule 15.1, and further, that the Court set a deadline for the parties to file a joint letter proposing a briefing schedule for the Federal Defendants' anticipated motion to dismiss. The undersigned has attempted to meet and confer with Plaintiff's counsel on multiple occasions but has not received a response.

I thank the Court for its consideration of this matter.

¹ However, this Office was served with Plaintiff's motion for leave to file a Second Amended Complaint on May 22, 2025.

² Judge Aaron denied Plaintiff's motion without prejudice to filing a motion that complies with Local Civil Rule 15.1. ECF No. 75. Plaintiff attempted to file another motion, but the filing was denied as a "deficient docket entry," ECF No. 77. Plaintiff has not since tried to refile her motion.

Respectfully,

JAY CLAYTON
United States Attorney for the
Southern District of New York

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(VIA ECF)

Application GRANTED. Plaintiff shall refile her motion for leave to file a Second Amended Complaint no later than August 8, 2025. Plaintiff is encouraged to review ECF Rules 13.2(e) and 15.4. The ECF Rules and Instructions are available on the Court's website at <https://nysd.uscourts.gov/rules/ecf-related-instructions>. In addition, the parties shall file a proposed briefing schedule regarding the Federal Defendants' anticipated motion to dismiss no later than August 15, 2025. SO ORDERED.

Dated: July 31, 2025

Attn: cl an